UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/551,570	04/13/2006	Jurgen Beil	5367-189PUS	3837
27799 7590 04/01/2009 COHEN, PONTANI, LIEBERMAN & PAVANE LLP 551 FIFTH AVENUE			EXAMINER	
			CROWE, DAVID R	
	SUITE 1210 NEW YORK, NY 10176		ART UNIT	PAPER NUMBER
,	,		2885	<u> </u>
			MAIL DATE	DELIVERY MODE
			04/01/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Application Number	Application/Control No.	Applicant(s)/Patent under Reexamination				
	40/554 570	BEIL ET AL.				
	10/551,570	Art Unit				
	David Crowe	2885				
Document Code - AP.PRE.DEC						
		ppeal Brief Review				
This is in response to the Pre-Appeal Brief Request for Review filed <u>2/23/2009</u> .						
 Improper Request – The Req reason(s): 	uest is improper and a confere	nce will not be held for the following				
The request does not include	t been filed concurrent with the e reasons why a review is appro- icluded with the Pre-Appeal Bri	opriate.				
The time period for filing a response the mail date of the last Office comm	continues to run from the receinunication, if no Notice of Appe	pt date of the Notice of Appeal or from all has been received.				
held. The application remains under is required to submit an appeal brief brief will be reset to be one month from the receipt of the notice.	appeal because there is at lease in accordance with 37 CFR 41 com mailing this decision, or the e of appeal, whichever is greate CFR 1.136 based upon the mail	A Pre-Appeal Brief conference has been st one actual issue for appeal. Applicant .37. The time period for filing an appeal balance of the two-month time period er. Further, the time period for filing of the date of this decision or the receipt date				
☐ The panel has determined Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 1,2,4,6-14,10 Claim(s) withdrawn from considerations.	6 and 18-24.	follows:				
3. Allowable application – A co- Allowance will be mailed. Prosecution applicant at this time.	nference has been held. The re on on the merits remains closed	ejection is withdrawn and a Notice of No further action is required by				
4. Reopen Prosecution – A con action will be mailed. No further action	ference has been held. The rej on is required by applicant at tl	ection is withdrawn and a new Office nis time.				
All participants:						
(1) <u>David Crowe</u> .	(3) <u>Jong-Su</u>	(3) Jong-Suk (James) Lee.				
(1) <u>David Crowe</u> . (2) <u>Brian Sircus</u> .	(4)					